

PROPOSED REGULATORY TEXT

Proposed additions are indicated by underline and deletions are indicated by ~~striketrough~~.

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 15. CRIME PREVENTION AND CORRECTIONS
DIVISION 2. ~~BOARD OF PRISON TERMS~~ BOARD OF PAROLE HEARINGS
CHAPTER 3. PAROLE RELEASE
ARTICLE 4. PAROLE CONSIDERATION PROCEDURES for LIFE PRISONERS and
NONLIFE 1168 PRISONERS

15 CCR § 2275 to read as follows:

(a) General. As required by Penal Code section 3000.1, when parole is revoked for any prisoner sentenced under Penal Code section 1168 for any offense of first or second degree murder with a maximum term of life imprisonment, the prisoner shall be given a hearing as provided in Penal Code sections 3041.5 and 3041.7 within 12 months of the date of any revocation of parole to consider the release of the inmate on parole.

(b) Panel. This hearing shall be conducted by a two person panel comprised of one commissioner and one deputy commissioner.

(c) Disposition. At this hearing, the panel shall release the prisoner within one year of the date of the revocation, unless it determines that the circumstances and gravity of the parole violation are such that consideration of the public safety requires a more lengthy period of incarceration, or unless there is a new prison commitment following a conviction. If the panel concludes that a more lengthy period of incarceration is warranted, then notwithstanding the provisions of paragraph (2) of subdivision (b) of section 3041.5, there shall be annual parole consideration hearings thereafter, unless the person is otherwise ineligible for parole release.

(d) Application. This section shall only apply to parolees who have a pending adjudication for a parole violation on July 1, 2013, and to revocation proceedings conducted by the Board of Parole Hearings prior to July 1, 2013, if reopened on or after July 1, 2013. This section shall remain in effect until June 30, 2014, and as of that date is repealed.

Note: Authority cited: Section 12838.4, Government Code; and Sections 3000.08(j), 3052 and 5076.2, Penal Code. Reference: Section 3000.1, Penal Code.